

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Omega US Insurance, Inc.,
Plaintiff,

v.

Jerry Heitzman Construction, et al,
Defendant.

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CIVIL ACTION NO. H-12-1484

**ORDER ACKNOWLEDGING NOTICE OF DISMISSAL
OF JOHN S. MOSTYN, AMBER A. MOSTYN, DAVID A. NEIDER,
CAROL K. NEIDER, AND JBF MANAGMENT TRUST**

On this day of August, 2012, the Court was presented with Plaintiff, Omega US Insurance, Inc.'s, Notice of Dismissal of John S. Mostyn, Amber A. Mostyn, David A. Neider, Carol K. Neider, and JBF Management Trust (hereinafter collective referred to as "above-referenced Defendants").

The Court has been advised that Plaintiff desires to dismiss all of its claims against the above-referenced Defendants without prejudice. The Court hereby acknowledges Plaintiff's dismissal without prejudice to refiling the same. **IT IS, THEREFORE,**

ORDERED that the claims of Plaintiff against the above-referenced Defendants are **DISMISSED WITHOUT PREJUDICE.** **IT IS FURTHER,**

ORDERED that this dismissal shall not affect Plaintiff's claims against any other Defendants in this case, nor shall it affect the Courts' jurisdiction to consider any collateral issues pertaining to the Defendants at Issue, including John S. Mostyn and Amber A. Mostyn's Motion for Attorney's Fees.

All parties shall bear their own respective fees and costs.

SIGNED this 9th day of August, 2012.



SIM LAKE
UNITED STATES DISTRICT JUDGE